

**REMARKS**

This responds to the Office Action dated July 28, 2006. Claims 1-34 are pending in this application.

**§103 Rejection of the Claims**

Claims 1-4, 7, 9-15, 18-19, 21-24, and 27-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Beard et al. (US 5,640,524), in view of Applicant's admitted prior art (herein Kohn), further in view of Cray Assembly Language Systems Reference Manual ("the Cray Manual").

As set forth in the enclosed declaration under 37 C.F.R. § 1.131, the subject matter claimed in the Application was invented prior to June, 2003, the publication date of the Cray Manual. Therefore, the Cray Manual is not prior art under 35 U.S.C. § 102 and cannot be used as prior art under 35 U.S.C. § 103(a).

**Allowable Subject Matter**

Claim 8 has been allowed. Applicant acknowledges the allowed subject matter.

Claims 5-6, 16-17, 20, and 25-26 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 5-6 ultimately depend on base claim 1, claims 16-17 and 20 ultimately depend on base claim 11, and claims 25-26 ultimately depend on base claim 21. Applicant acknowledges the allowable subject matter but believes the base claims are allowable in their present form at least for the reasons set forth above.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JAMES ROBERT KOHN

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 371-2172

Date Nov. 28, 2006

By Paul J. Urbanski  
Paul J. Urbanski  
Reg. No. 58,351

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28 day of November 2006.

CANDIS BUENDING

Name

Signature

Andrea Brandy